



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAY 11 2017

Mr. Duane Maves  
Safety Coordinator  
Professional Power Products Inc.  
448 West Madison Street  
Darien, Wisconsin 53114

REPLY TO THE ATTENTION OF

Dear Mr. Maves:

This responds to your letter dated March 21, 2017, requesting the U.S. Environmental Protection Agency to provide a Stationary Source determination for your facility in Darien, Wisconsin.

As described in your letter, Professional Power Products, Inc. (3Pi) designs, manufactures and sells custom engineered enclosure packages for power generation systems that may be used for demand response, standby power or as part of a microgrid or cogeneration facility. During the assembly of the power generation systems, 3Pi performs various tests on the systems using already-installed engines to provide power to the system. 3Pi does not manufacture the engines, but receives already-installed engines to conduct their tests<sup>1</sup>. The tests on the systems may include sound testing, load testing, electrical system testing or start-up testing. Some of these systems are tested indoors and the engine emissions are routed through building exhaust stacks to the atmosphere, while others are tested outdoors.

Based on the information you provided to us, and our interpretation of the relevant statutory provisions pertaining to what constitutes a "stationary source" (described below), EPA's view is that the engines at issue do not qualify under the exemption for "non-road" engines, and therefore, will be considered as a "Stationary Source".

Under the Clean Air Act (CAA) Section 302(z) [42 USC §7602], a Stationary Source is defined as "...any source any source of an air pollutant except those emissions resulting directly from an internal combustion engine for transportation purposes or from a nonroad engine or nonroad vehicle as defined in section 216." As stated, the two exceptions from the definition of a stationary source are (1) direct emissions from internal combustion engine used for transportation purposes; and (2) emissions from a non-road engine or non-road vehicle. CAA 216(10) [42 USC §7550] defines a "non-road engine" as an "internal combustion engine that is not used in a motor vehicle or a vehicle used solely for competition, or that is not subject to standards promulgated under section 7411 [CAA § 111] of this title or section 7521 [CAA § 202] of this title." In addition, EPA's regulations for Highway, Stationary and Nonroad Programs, 40

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<sup>1</sup> EPA understands that the already-installed engines have been tested and certified prior to being used for testing the equipment.

C.F.R. 1068, defines a nonroad engine as an internal combustion that meets any of the following criteria:

It is (or will be) used in or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as garden tractors, off-highway mobile cranes and bulldozers).

It is (or will be) used in or on a piece of equipment that is intended to be propelled while performing its function (such as lawn mowers and string trimmers)

By itself or in or on a piece of equipment, it is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Examples of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.

This definition relies on the end use of the engine to classify it as a non-road engine. The engines in this case, will be used to run power generation systems. As we understand it, these systems will be housed within the facility and are not designed or intended to be portable or transportable. Based upon this information and our reasoning, EPA's view is that the engines used for testing 3Pi's power generation systems will be considered a stationary source.

For applicable requirements and stationary source permitting for your facility, EPA advises you to work with your state permitting authority, Wisconsin Department of Natural Resources. We hope this information will assist you in going forward and complying with the statutory requirements.

We appreciate the opportunity to work with you. Please contact Radhica Kanniganti, of my staff, at (312) 886-8097 if you have any questions or comments regarding this letter.

Sincerely,



John Mooney, Chief  
Air Programs Branch

Cc: Renee Smits, Spectrum Engineering  
David Minkey, WDNR